Single Bench

In The High Court of Judicature At Bilaspur, (Chhattisgarh)

Miscellaneous Civil Case:- 357 **of 2006**

Applicant: - **Narandra Rao Pawar,**
son of Krishna Rao Pawar,
aged about 36 years,
occupation agriculturalist,
resident of village LoharSingh,
Police thana Arjuni,
District Dhamtari (C.G.)

VERSUS

P.R. No. 1979/06
Presented by Shri ... Pawar
dated 12/12/06

Respondent:- **Smt. Sunita Pawar,**
wife of Narendra Rao Pawar,
aged about 32 years,
occupation – house wife,
r/o Narharpur, Police station NaharPur,
District Kanker (C.G.)

Application under order 41 rule 19 for restoration of the First Appeal number 240 of 2005, dismissed in default for want of prosecution, on 22nd of December 2005 by Hon'ble Shri Justice Dhirendra Mishra Ji.

XI-HC-78

(13)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

M.C.C. No. 357/06

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13-7-2006 Mr. Anil Pandey, learned counsel for the applicant. Heard on M.(C.)P.No.1172/2006, an application for condonation of delay in filing this application for restoration, as the same has been preferred with a delay of 172 days. It is mentioned in this application that First Appeal No.240/2005 was dismissed on account of non-prosecution and the fact of dismissal came to the knowledge of the counsel for the applicant only on 4-7-2006 when he made enquiries for non-listing of the appeal till that date. Mr. Anil Pandey has filed his own affidavit in support of the above two applications. The application for condonation of delay is allowed for the reasons indicated in the said application as also the application for restoration of the appeal and the appeal is restored to its original number, subject to condition that a fine of Rs.500/- (Rupees Five Hundred) is paid to the High Court Legal Services Committee within a period of 15 days from today. **Sd/-** **Dhirendra Mishra** **Judge**	

Gopal